

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

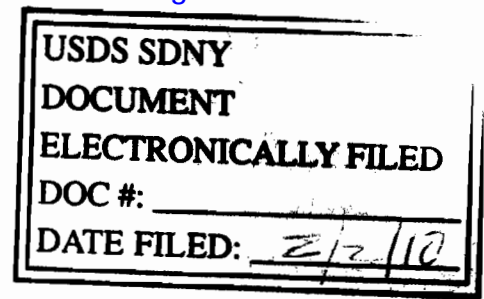
AJA GONZALEZ,

Plaintiff,

-v-

ALLIED BARTON SECURITIES SERVICES, *et al.*,

Defendants.



No. 08 Civ. 9291 (RJS) (RLE)
ORDER

RICHARD J. SULLIVAN, District Judge:

Presently before the Court is the Report and Recommendation (“Report”) of the Honorable Ronald L. Ellis, Magistrate Judge, recommending that the Rule 12(b)(6) motion to dismiss filed by Defendant Local 32 BJ, Service Employees International Union (“Local 32 BJ”) be granted. For the reasons set forth below, the Court adopts the Report in its entirety.

Federal Rule of Civil Procedure 72(b)(2) requires a party to serve and file objections to a Magistrate Judge’s recommended disposition within fourteen days of being served therewith. In this case, Judge Ellis issued the Report on January 11, 2010, and copies of the Report were mailed to Plaintiff on that date. As of the date of this Order, Plaintiff has not filed objections to the Report.

“To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Cuadrado v. N.Y. City Dep’t of Corr.*, No. 08 Civ. 3026 (PAC) (THK), 2009 WL 1033268, at *1 (S.D.N.Y. Apr. 16, 2009) (quoting *Wilds v. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003)). After a careful review of Magistrate Judge Ellis’s Report, the Court finds no clear error and adopts the Report in its entirety. For the reasons set forth therein, Local

32 BJ's motion to dismiss is granted, and the Clerk of the Court is respectfully directed to terminate the motion located at Doc. No. 30.

SO ORDERED.

Dated: February 3, 2010
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

A copy of this Order has been mailed to:

Aja Gonzalez
249 Thomas S. Bayland St.
#8E
Brooklyn, NY 11233